

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOHN COOK,

Plaintiff,

v.

LAND O' LAKES, INC.,

Defendant.

Case No. 1:20-cv-00553-NONE-SAB

ORDER CONTINUING DEADLINE TO FILE
DISPOSITIONAL DOCUMENTS

(ECF No. 16)

Plaintiff John Cook, on behalf of himself and all others similarly situated, initiated this action on March 6, 2020. (ECF No. 1.) On September 27, 2021, Plaintiff filed a notice of settlement and request to vacate the class certification discovery deadline and the class certification deadline. (ECF Nos. 13, 14.) In granting the request to vacate deadlines, the Court ordered the parties to file dispositional documents pursuant to Local Rule 160 no later than October 18, 2021. (ECF No. 15.)

On October 19, 2021, the parties filed the instant stipulated request to continue the deadline to file dispositional documents. (ECF No. 16.) The parties indicate they are in the process of finalizing their long-form, global settlement agreement, for which they must also seek approval from the state court under the related Smith action, and therefore require additional time

1 to submit the dispositional documents. To that end, the parties request an extension of
2 approximately 90 days, or until January 17, 2022, to file their dispositional documents. The
3 parties additionally proffer that their failure to timely submit this request was inadvertent.

4 The parties are reminded that requests for continuances made on the eve of a deadline or
5 thereafter will be looked upon with disfavor and may be denied absent a showing of good cause
6 for the delay in seeking an extension. Nonetheless, the Court is satisfied with the parties' proffer
7 regarding their one-day delay in this instance, construes the request as a nunc pro tunc request,
8 and finds good cause exists to grant the request.

9 Accordingly, IT IS HEREBY ORDERED that the currently scheduled deadline to file
10 dispositional documents shall be continued. The parties shall file either the required dispositional
11 documents or a status report on or before **January 17, 2022**.

12 IT IS SO ORDERED.

13 Dated: **October 20, 2021**

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16 UNITED STATES MAGISTRATE JUDGE
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